

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of ARMON MARCUS TAVORN,
Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

ANNA MOZELLA TAVORN,

Respondent-Appellant,

and

RAFAEL CHAPMAN and BENNIE MITCHELL,

Respondents.

In the Matter of JANET ARIELA TAVORN,
Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

ANNA MOZELLA TAVORN,

Respondent-Appellant,

and

RAFAEL CHAPMAN and BENNIE MITCHELL,

Respondents.

UNPUBLISHED

June 25, 2009

No. 287495

Macomb Circuit Court

Family Division

LC No. 2006-000358-NA

No. 287497

Macomb Circuit Court

Family Division

LC No. 2006-000359-NA

In the Matter of JORDAN RITCHIE TAVORN,
Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

ANNA MOZELLA TAVORN,

Respondent-Appellant,

and

RAFAEL CHAPMAN and BENNIE MITCHELL,

Respondents.

No. 287498
Macomb Circuit Court
Family Division
LC No. 2008-000023-NA

Before: Jansen, P.J., and Borrello and Stephens, JJ.

PER CURIAM.

In these consolidated appeals, respondent Anna Mozella Tavorn appeals as of right from the trial court order terminating her parental rights to the minor children under MCL 712A.19b(3)(c)(i). For the reasons set forth in this opinion, we affirm.

The conditions that led to the adjudication included the existence of domestic violence, alcohol abuse, and neglect. Over two years had elapsed since the children were removed from respondent's custody, yet respondent failed to sufficiently address her domestic violence and anger management issues, she also continued to have alcohol abuse problems. Even following individual therapy and group sessions designed to address the issue of domestic violence, respondent still experienced issues with her former boyfriend requiring her to obtain a PPO, which was later violated. Evidence was presented by several witnesses that respondent inappropriately used aggression and anger throughout the course of treatment. Each of the psychological and psychiatric evaluations discussed respondent's anger issues. However, despite the abundant evidence of anger management issues, respondent refused to acknowledge her problem and was thus resistant to seeking out and benefiting from treatment. Based on these facts, we find that the trial court did not clearly err in finding that the statutory ground for termination was established by clear and convincing evidence. MCR 3.977(J); *In re Sours Minors*, 459 Mich 624, 633; 593 NW2d 520 (1999); *In re Fried*, 266 Mich App 535, 541; 702 NW2d 192 (2005).

Regarding the trial court's adjudication of neglect, we find from our review of the record, that at the time of the termination trial respondent was still unemployed, had no legal source of income, and did not have a suitable home for the children. Although the trial court found substantial compliance with some of the requirements of the parent-agency agreement, the court did not err in finding that respondent failed to substantially comply with other, very crucial aspects of the agreement, which can be a valid indication of neglect. *In re Trejo Minors*, 462 Mich 341, 360-361 n 16; 612 NW2d 407 (2000).

Over the course of two years, respondent had been provided numerous services and referrals to address the issues that brought the children into care. Despite this, the conditions of adjudication continued to exist. Given the ages of the children, it was not clearly erroneous for the trial court to find that there was no reasonable likelihood that they would be rectified within a reasonable time.

Furthermore, the evidence established that termination of respondent's parental rights was in the children's best interests. MCL 712A.19b(5); *Trejo, supra* at 356-357. Respondent failed to adequately address her issues of anger management and domestic violence, failed to maintain a legal source of income, and was unable to maintain appropriate housing for the minor children. The children were making progress in the care of their maternal grandmother. The trial court did not clearly err in terminating respondent's parental rights.

Affirmed.

/s/ Kathleen Jansen
/s/ Stephen L. Borrello
/s/ Cynthia Diane Stephens